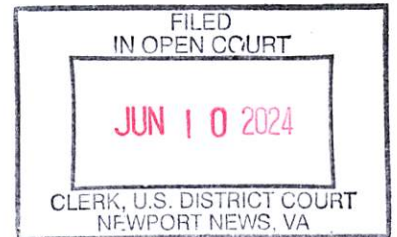


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Newport News Division



UNITED STATES OF AMERICA,

v.

ANDRE MCGEE,
(Counts 1-3)

ARLESA MCGEE,
(Counts 1-3)

Defendants.

) CRIMINAL NO. 4:24-cr- 37
)
)
) 18 U.S.C. § 371
) Conspiracy to Defraud the United States
) (Count 1)
)
) 18 U.S.C. § 1035
) False Statement Relating to Medical Care
) (Count 2)
)
) 18 U.S.C. § 1001
) False Material Statement
) (Count 3)
)
) 18 U.S.C. § 924(d); 21 U.S.C. § 853; 28 U.S.C.
) § 2461(c)
) Criminal Forfeiture

INDICTMENT

June 2024 Grand Jury at Newport News, Virginia

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

From in or about 2012 up to and including the date of this indictment in the Eastern District of Virginia, ANDRE MCGEE and ARLESA MCGEE, the defendants herein, knowingly and willfully conspired and agreed together and with each other, (and with other persons both known and unknown to the grand jury), to defraud the United States of and concerning its governmental functions and rights, hereafter described, that is:

(a) of and concerning its right to have its business and its affairs, and particularly the transaction of the official business of the Veterans Affairs Department, conducted

honestly and impartially, free from corruption, fraud, improper and undue influence, dishonesty, unlawful impairment and obstruction;

(b) of and concerning its right to have its business and its affairs, and particularly the transaction of the official business of the Social Security Administration, conducted honestly and impartially, free from corruption, fraud, improper and undue influence, dishonesty, unlawful impairment and obstruction;

WAYS, MANNER AND MEANS OF THE CONSPIRACY

- a. It was a part of the conspiracy that the defendants would by deceit, craft, trickery and dishonest means, defraud the United States by fraudulently claiming health care benefits, in that the defendants would makes claims that ANDRE MCGEE was totally disabled and entitled to more health care benefits through the Department of Veterans Affairs than he was entitled to receive.
- b. It was further a part of the conspiracy that the defendants would makes claims that ANDRE MCGEE was totally disabled and entitled to more health care benefits through the Social Security Administration than he was entitled to receive.
- c. It was further a part of the conspiracy that the defendants would fraudulently present ANDRE MCGEE to employees of the Department of Veterans Affairs as if he was unable to walk or talk in an effort to obtain benefits to which he was not entitled.
- d. It was further a part of the conspiracy that the defendants would fraudulently present ANDRE MCGEE to employees of the Department of Veterans Affairs as if he was unable to walk or talk an effort to obtain benefits to which he was not entitled.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia and elsewhere:

- (a) October 17, 2018, in the Eastern District of Virginia, the defendants, ANDRE MCGEE and ARLESA MCGEE, spoke with S.C. an employee of the Department of Veterans Affairs and falsely and fraudulently stated that ANDRE MCGEE “cannot function independently.”
- (b) April 19, 2018, in the Eastern District of Virginia, the defendants, ANDRE MCGEE and ARLESA MCGEE, falsely and fraudulently presented ANDRE McGee to Dr. R.C., working on behalf of the Department of Veterans Affairs, as being unable to walk or move about without assistance.
- (c) On July 31, 2019, in the Eastern District of Virginia, the defendants, ANDRE MCGEE and ARLESA MCGEE, falsely and fraudulently presented ANDRE McGee to employees of the Social Security Administration as being unable to walk and suffering from severe PTSD.

(In violation of Title 18, United States Code, section 371)

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

In or about or between 2018 and 2019, in the Eastern District of Virginia, ANDRE MCGEE and ARLESA MCGEE, the defendants herein, aided and abetted by one another knowingly and willfully falsified, concealed, and covered up by a trick, scheme, and device a material fact, that ANDRE MCGEE was not totally disabled, in connection with the delivery of health care benefits, items, and services involving the Department of Veteran's Affairs, a health care benefit program as defined in 18 U.S.C. § 24(b).

(In violation of Title 18, United States Code, Section 1035)

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

On or about the July 31, 2019, in the Eastern District of Virginia, ANDRE MCGEE and ARLESA MCGEE did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, by representing that ANDRE MCGEE was unable to walk or care for himself in the Eastern District of Virginia. The statements and representations were false because, as ANDRE MCGEE and ARLESA MCGEE then and there knew, ANDRE MCGEE was capable of walking and in fact walked without aid following the statements.

(In violation of Title 18, United States Code, Section 1001)

UNITED STATES V. ANDRE MCGEE and ARLESA MCGEE. 4:24CR 37

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

A TRUE BILL:

REDACTED COPY

FOREPERSON

JESSICA D. ABER
UNITED STATES ATTORNEY

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